

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 2:13-cr-00012-MR-WCM-1**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JACKIE LEE RATTLER,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant’s “Motion and Incorporated Memorandum for Sentence Reduction under the First Step Act of 2018” [Doc. 345].

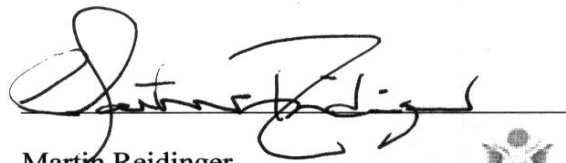
The Defendant seeks relief under the First Step Act of 2018, Pub. L. 115-135. Section 404 of the First Step Act gives retroactive effect to the changes made by Sections 2 and 3 of the Fair Sentencing Act of 2010. Section 404(a) of the First Step Act defines a “covered offense” as “a violation of a Federal criminal statute, the statutory penalties for which were modified by Section 2 or 3 of the Fair Sentencing Act of 2010 . . . that was committed before August 3, 2010.” Id.

Here, the Defendant was charged with offenses which were alleged to have been committed after the passage of the Fair Sentencing Act of 2010. [See Doc. 3]. Thus, the Defendant has already received the benefit of the Fair Sentencing Act. Accordingly, his motion for relief under the First Step Act of 2018 is denied.

**IT IS, THEREFORE, ORDERED** that the Defendant's "Motion and Incorporated Memorandum for Sentence Reduction under the First Step Act of 2018" [Doc. 345] is **DENIED**.

**IT IS SO ORDERED.**

Signed: January 16, 2020

  
Martin Reidinger  
United States District Judge

